Perminal Disclaimer	to Obviate a	Double
Patenting Rejection	Over a Prior	Patent

Application Number	09/480,826
Confirmation Number	4782
Filing Date	January 10, 2000
First Named Inventor	Taylor
Examiner	Dawson, Glenn K.
Group Art	3731
Attorney Docket No.	GUID-006CON5

The owner,	Cardiothoracic Systems, Inc.	_, of	100	percent interest in the
instant application	hereby disclaims, except as provided bel	ow, the term	inal part of th	e statutory term of any patent
granted on the ins	stant application, which would extend beyo	and the expir	ation date of	the full statutory term defined
	to 156 and 173, as presently shortened by			
Patent No.	6,602,189 . The owner	hereby agree	es that any pa	atent so granted on the
instant application	shall be enforceable only for and during s			
owned. This agree	ement runs with any patent granted on the	instant appl	lication and is	binding upon the grantee, its
successors or ass				

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or box 2, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

The Commissioner is authorized to charge:a Terminal Disclaimer fee of ______and any wother required fees including extensions of time to Deposit Account No. 50-2653. Addupticate copy is attached.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED						
Name (Print/Type)	Alan W. Cannon			Registration N	ار م	34,977
Signature	-XIA	lan		Date	17	14/07
Firm Name	Law Office of Alar	n W. Cannon	Address	942 Mesa Oa	ak Court	77
City	Sunnyvale	State	California		zip	94086
Telephone - Direct Di	ial 408-	736-3554	Facsimile	408-736-35	64	
CERTIFICATE OF MAILING OR TRANSMISSION						

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type) Maria J. Sousa Signature Date					
	Name (Print/Type)	Maria J. Sousa	Signature	Date	

06/20/2007 EEKUBAY1 00000016 09480826

01 FC:1814

130.00 OP